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THE RIGHT OF PEOPLES TO SELF-DETERMINATION AND ITS APPLICATION TO PEOPLES UNDER COLONIAL OR ALIEN DOMINATION OR FOREIGN OCCUPATION

QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN ANY PART OF THE WORLD, WITH PARTICULAR REFERENCE TO COLONIAL AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

Written communication submitted by Pax Christi, International Catholic Peace Movement, a non-governmental organization in consultative status (category II)

The Secretary-General has received the following communication, which is circulated in accordance with Economic and Social Council resolution 1296 (XLIV).

[13 February 1985]

GE.85-10826

1. In resolution 1984/24, the Sub-Commission on Prevention of Discrimination and Protection of Minorities, at its thirty-seventh session, stated that it was "Preoccupied by new facts, put forward regarding the suffering to which the people of East Timor continue to be subjected because of the situation which persists in the territory" and it therefore recommended to the Commission on Human Rights "to study carefully at its forty-first session the evolution of the situation of human rights and fundamental freedoms in East Timor".

2. Pax Romana and Pax Christi have had access to a very detailed report from the territory of East Timor, dated 20 August 1984, giving an account of hundreds of cases of arrest without trial, torture, deportation, disappearance, summary execution, etc. It cites cases which arose between 28 August 1983 and 25 July 1984 in the eastern part of the island, as far as Dili.

3. It is always very difficult to obtain information on what is happening inside the territory, because of the shut-down imposed by the Indonesian authorities. Mgr. Ximenes Belo, Apostolic Administrator at Dili, admits himself, in a letter dated December 1984, that all correspondence is censored. This explains why the report only reached the outside world several months after it was prepared.

4. The cease-fire concluded at the end of March 1983 between the Indonesian armed forces and the Frente Revolucionária de Timor Leste Independente (FRETILIN) was broken the following August, and serious incidents took place, for example at Kraras, where the army killed more than 200 civilians. It was the beginning of a new offensive by the forces of occupation in East Timor.

Arrests without trial

5. The report in question gives many details (name, age, locality, date) of 132 cases of arrest without trial, not counting all the victims subsequently deported, massacred or simply disappearing, as described below. Men, women and children were arrested by the Indonesian forces, more often than not in reprisal or on suspicion - because they had relatives, brothers and sisters, sons and daughters in the armed Resistance, because they were suspected of supplying FRETILIN with food, helping to organize escapes into the bush or being FRETILIN agents; also at times, as reprisals for the escape of other persons in the same region or the same concentration camp. All these people were brutally tortured. Two examples: "On 25 September 1983, Lina Morais, 17 years of age, a student, from Ili-Lapa, Loré 2, of the same camp, was summoned by the 'Kodim' of Lospalos and accused of supplying food to FRETILIN. She was savagely beaten - also because she had a sister in the Resistance." On 16 April 1984, "Daniel Gonçalves, 12, of Nuha Lata, and Silvina da Cruz, 22, of Otro Txau, Loré, the concentration camp of Maluro, were arrested and threatened by the military on the grounds that they had relatives in the armed Resistance."

Tortures

6. All the persons mentioned in the report, both those held prisoner and those subsequently killed, deported or missing, were mercilessly tortured, brutally beaten up, prodded with the points of bayonets, burnt with cigarettes and torches, or received machete wounds on the mouth, blows with rifle butts and

fists, kicks, electric shocks all over the body but particularly on the genitals, had their teeth knocked out, were given nothing to eat, and were treated to jibes of every description. More often than not the women were raped. Two further examples: on 12 March 1984, the battalion Commandant order the arrest of three men and three girls (between 15 and 24 years of age) in reprisal for the escape of two boys into the bush on the previous day. The Commandant "forced them to undress and to remain from 9 a.m. to 4 p.m. kneeling on sharp stones. Scenes of this type took place daily in front of the inhabitants of Foe Má and the soldiers of Battalion 315, who found the situation amusing." On 14 November 1983 Elisa dos Santos, 20, a student, and Ercilia de Carvalho, 18, were arrested, and members of Battalion 100 "placed the legs of benches on their hands as they lay on the ground, and soldiers sat on the benches, making fun of the girls".

Deportations

7. Two cases are cited, that of José Goulart, 29, deported on 8 November to one of the Indonesian islands, and that of a group of 60 persons, imprisoned in the "comarca" at Dili and "deported to Bali and other Indonesian islands" in May 1984.

Disappearances

8. Eight cases are mentioned in the report. In October 1983 Francisco Lopes, 29, Cristovão Lopes, 30, Constantino da Costa, 29, Damião Lopes, 24, Loureiro, 28, Alvaro dos Santos, 31, and António Suares, 19, were arrested and tortured, three of them being subjected to electric shocks on the genitals. They disappeared one after another from the Lospalos "Kodim". On 17 December 1983 Mateus Pedro, 23, Raul dos Santos, Amancio, 18, Joaquim, 17, Olinda, 22, and Ermelinda, 22, were arrested. The men were subjected to electric shocks on the genitals and the buttocks, the girls on the genital area and the breasts, and they were raped frequently before disappearing on 11 January 1984. On 25 November 1983 Oscar Lopes, 25, Alvaro Gomes, 32, and Francisco Lopes, 30, were arrested. "With their feet and hands bound, they were tortured with the points of bayonets and electric shocks and brutally beaten up" until 7 January, when they disappeared. In November 1983 Luis Silveira, 36, was arrested, and he disappeared from No. 1 prison, Lospalos, on 4 December 1983, following weeks of torture. On 27 January 1984 Alfredo Coutinho, 30, was arrested, and he disappeared on 2 April 1984. Domingos Ornai, 43, undergoing religious instruction at the Catholic Mission, was brutally beaten up and taken to Dili on 20 April 1984. No one knows his present whereabouts. On 3 March 1984 the following were arrested: António Ornai, 49, Rui Manuel, 19, Raba Lakalla, Américo Branco, 28, Victor, 26, Kote Lai, 36, Afonso dos Santos, 50, Jorge Pinto, 31. After torturing them, the military took them away in a helicopter on 20 March, and no one knows where they now are. In May 1984, 30 of the inmates of the concentration camp of Bukoli were rounded up and disappeared.

Summary executions

9. The following were massacred by the Indonesian forces: Jaime Castelo, 23, arrested on 12 November 1983 and killed on 6 February 1984 at Ili-lapa; Armando Castanheira, 28, arrested on 8 November 1983 and killed on 17 November at Humina; Paulo Marques, 28, arrested on 28 August 1983 as he was returning from the Lospalos market and shot and killed the same day on the edge of the town; Cristovão, 30, Frederico, 32, Gilberto, 28, Manuel Jesus, 34, killed by the soldiers of Battalion 745 in front of the entire local population at Poros on 13 November 1983; Gaspar Nunes, 37, killed on 25 November 1983 at Silary. In the same locality, on 15 November 1983, Mateus Gonzaga, 38, was shot; on 25 November, still in the same locality, Jorge Nascimento, 39, and Jose Manuel, 42, were executed after being tortured; on 24 November 1983 Alberto, 31, Lino, 30, Angelo da Costa, 29, Alvaro Freitas, 30, and Leonel Oliveira, 36, were arrested and "tortured by means of electric shocks for two weeks ... and on 6 December they were killed in public, stabbed with daggers in the market-place, in the presence of the population of Muapitina ... to serve as an example to the population"; on 5 September 1983 Nicolau Flores, 34, was arrested and tortured, and killed a few days later by the commandant himself; and on 3 March 1984 João, 28, was arrested and tortured so brutally that "his head burst open and his brains oozed out through his nose".

Bombings

10. On 4 November 1983 the forces of Battalion 641, taking reprisals for action by FRETILIN "and fearing trouble from the people who had gathered in the camp (Maluro), bombed the camp with mortar shells", causing the deaths of nine persons between three and 50 years of age.

Detention centres

11. Seventeen detention centres are referred to in this region, including built-up areas which have been turned into detention centres: Maluro (Loré) and Ili-lapa (Loré), 18 km and 3 km respectively along the road between Lospalos and Loré; Home, 2 km to the west of Lospalos, on the Lospalos-Kakavei road; Leuro, 5 km west of Lospalos, on the same road; Foe Má; Lere Loho, close to the Fui-Loro Mission; Poros, on the Tutuala-Lospalos road, about 12 km from Tutuala; Porlamano, 5 km from Tutuala, close to the Tutuala-Lospalos road; Mehara, 6 km from Tutuala, on the same road; Muapitina, 2 km to the south-east of Lospalos; Luro, on the northern slope of the Legu-Mau mountains, 36 km from the north shore; Ossú, a village situated between the built-up areas of Venilale and Vikeke, on the Baucau-Vikeke road - a large detention centre existing since 1979; Naha-Reka, 12 km from Ossú; Kelikai, "former site of the concelho of Baucau, and since 1979 a large detention centre situated 17 km from Baucau to the north of the Baucau-Laga road; Uai-Lili, 10 km from Baucau, on the Baucau-Vikeke road; Bere Koli, on the Baucau-Venilale road, 2 km from the Fatumaka College, 21 km from Baucau; and Bucoli, 16 km from Baucau, on the Baucau-Vemasse road.